COUNTY OF LOS ANGELES - SHERIFF'S DEPARTMENT
INTERNAL AFFAIRS BUREAU INVESTIGATIVE REPORT

DATE OF INCIDENT	FILE NO.
August 18, 1994	S008090

SUBJECTS

HODRICK, Mitchell, Deputy, #[redacted]
Lennox Station
Field Operations II

COMPLAINANTS

Commander's Review Committee

CHARACTER OF CASE

USE OF FIREARMS

LOCATION

Prairie Avenue and 107th Street, Lennox

REFERENCE	INVESTIGATOR
Commander's Review Committee	**Sergeant Ken Leffler** **Internal Affairs Bureau**

SYNOPSIS

On August 18, 1994, at approximately 0211 hours, Subject Hodrick and his partner, Deputy Dan Fedele, (Lennox Station, 31/A) heard several shots fired from the vicinity of the parking lot of the "La Llamarda" night club located at 10711 Prairie Avenue. Upon investigation they observed a red 1978 Chevrolet Camaro speeding through the parking lot, apparently in pursuit of an unidentified pedestrian. As Subject Hodrick and Deputy Fedele were approaching the bar the Camaro suddenly started heading in the direction of their radio car. Subject Hodrick fired six shots at the driver of the Camaro, striking the car and several buildings in the background. The driver was not hit. An immediate Administrative Investigation of the incident was requested.

SUBMITTED BY	REFERRED FOR RECOMMENDATION TO
Judith A. Lewis, Captain **Internal Affairs Bureau**	**Commander's Review Committee**

STATUS OF SUBJECTS

No change in status.

INVESTIGATIVE SUMMARY

FILE #F008090

On August 18, 1994, at approximately 0211 hours Deputy Mitchell HODRICK was involved in an on-duty shooting wherein he fired six shots at the unarmed occupant of a vehicle in the parking lot of small shopping center located on the southwest corner of 107th Street and Prairie Avenue in the Lennox Area. The shopping center consists of four businesses: the La Llamarada Nite Club, a laundromat, a small grocery store (Gonzalez Produce) and a nail manicuring shop. A catering truck, owned by the proprietor of the nite club, is usually parked in the southeast corner of the center during the business hours of the nite club. (Refer to EXHIBITS A & B). Because of several possible violations of policy occurring in the incident an Administrative Investigation was requested.

At the time of the shooting Subject [redacted]



At approximately 0200 hours Subject HODRICK and Witness FIDELE (unit 31/A) were enroute to Lennox Station to [redacted] They were stopped westbound 108th Street at Prairie Avenue when they heard two to three gun shots which seemed to originate from the vicinity of the La Llamarada Nite Club, approximately one block north of their location. They observed numerous pedestrians fleeing from the vicinity of the nite club, but were unable to determine the source or the intended target of the gun fire at that point. HODRICK was of the impression the rounds had come very close, describing a "ripping, tearing" sound as they passed over the radio car.

Subject HODRICK turned north on Prairie Avenue and started driving slowly toward the La Llamarada Nite Club to investigate. HODRICK said after driving a short distance he observed a man being chased around the parking lot of the nite club by someone driving a red Chevrolet Camaro. He said that although they were still about a half block away he could hear the tires of the Camaro screeching and the engine racing as it careened about the parking lot. As he watched, the man and Camaro disappeared from sight behind the catering truck parked on the southeast corner of the parking lot. As he continued to drive slowly toward 107th Street he heard three additional shots fired, followed immediately by the reappearance of the man from behind the catering truck, still being chased by the Camaro. By this time the man and car had completed a complete clockwise circuit around the catering truck. Due to the combination of gunfire and the erratic maneuvering of the Camaro, people were running from the area around the catering truck, scattering to the north and south.

Subject HODRICK said that by this time he had made up his mind the driver of the Camaro was not only trying run over someone with the vehicle, he (the driver) or someone else in the car was very likely the source of the gunfire.

HODRICK said he asked FIDELE if he had seen the "shooter" yet and when he (FIDELE) replied no, told him to put out a radio broadcast of a "245 now." (Refer to EXHIBIT C). HODRICK said as he continued driving north toward the nite club he heard three additional shots fired. He said the shots were so close they made a "zipping noise."

Subject HODRICK said that with this third volley of shots the Camaro reappeared from behind the catering truck and started driving directly toward the radio car, coming to a stop on the sidewalk, pointed in a southeasterly direction. HODRICK said he had stopped the radio car abreast of the shopping center and as the Camaro was coming to a stop, fired six times at the driver. He said that although he had seen no movement by the driver to indicate that he had a weapon, he was positive at this juncture the driver was the person doing the shooting. He said his rounds were fired in two round bursts from inside the radio car with the gun extended out the open drivers window. (Refer to EXHIBIT D).

> IAB NOTE: Subject HODRICK was asked what made him believe the driver was armed. HODRICK stated that after hearing the initial two shots, and observing all the commotion in the parking lot of the bar, the first thing that came to mind was, "I can't believe it, it's a "drive-by" happening right here." In addition, each time the car disappeared from his view, more shots were heard. After the final three shots were heard, the Camaro came from behind the catering truck and instead of continuing the chase or exiting the parking lot, drove directly at the radio car. HODRICK said this final action made him believe the driver was "lining up on him" getting ready to shoot. He said it was also very obvious by the time of the Camaro's second revolution around the catering truck that the driver of the vehicle was trying to run over the lone male and to prevent this, some type of immediate intervention was necessary.

Witness [redacted], who was [redacted] at the time of the shooting, said he saw a red car driving in circles around the catering truck and people were "running and ducking" to get out of the way. [redacted] said as the car was speeding around the parking lot he heard several volleys of shots fired. He said the first shots, which were fired when the red car was near the street, were quite loud. The second volley, which he heard while the car was out of view behind the catering truck, were not so clear and led him to believe the shooting was coming from the car.

Witness FIDELE said they were about midway to the La Llamarada Nite Club when he heard the second volley of two to three shots. FIDELE said the attention of everyone running from the nite club was directed back toward the clubs parking lot. He said he noticed one person in particular, a male hispanic wearing a "Pendleton" shirt who was standing in the southbound lanes of Prairie Avenue, looking north and south and pointing back in the direction of the club. Thinking this person was possibly the one responsible for the shooting he continued to watch him and several others as they ran across Prairie Avenue in the path of the radio car.

Witness FIDELE said he was so intent on watching the pedestrian traffic on his side of the car that he wasn't aware initially of the red Chevrolet Camaro be driven erratically around the parking lot of the club. FIDELE said the Camaro made a complete revolution of the parking lot. He said he could hear the tires screeching and the car appeared to be starting and stopping in a jerking movement as if the driver was possibly trying to flee or chase someone.

FIDELE said that a few seconds later it became obvious the driver of the car was pursing someone because he had driven past the parking lot's exits without making any attempt to flee.

Witness FIDELE said with the second volley of shots he had requested assistance re: "a 245 now." FIDELE said his attention was mostly focused on the pedestrian traffic on the passenger side of the radio car because he was still unsure who was doing the shooting or if there was more than one person doing the shooting. He said he was looking to his right when a third volley of shots were fired. He said he thought the shots were "awful close" and looked back to his left toward the nite club, in the belief they were now being fired on. He observed HODRICK shooting from the driver's window of the radio car as the Camaro was coming to a stop on the sidewalk directly west of their position. FIDELE said he was unsure and had to confirm with HODRICK that he was shooting at the Camaro.

> IAB NOTE: IAB investigators were able to recover the six expended shell casings ejected from Subject HODRICK'S weapon from in and around his radio car, and determine where all six rounds impacted the suspect vehicle and the building located in the shopping center. (Refer to EXHIBITS A,B & F).

At the conclusion of the shooting both deputies exited the radio car and approached the Camaro. Subject HODRICK said he ran directly across Prairie Avenue (west) toward the driver's door of the Camaro. HODRICK said as he was running he yelled at the car's driver, "Let me see your hands, let me see your hands!" He said the driver raised his hands momentarily and then dropped them back to his lap out of sight. He said that because of the driver's actions he almost fired again, thinking he was reaching for a gun. He said it wasn't until he was next to the car door, and able to look inside, that he saw the driver was merely trying to unbuckle his seat belt.

Subject HODRICK said he grabbed the driver by the shoulder just as the seat belt came loose. HODRICK said he holstered his weapon and guided the driver out of the vehicle and sat him on the curb nearby after searching him for weapons.

> IAB NOTE: Subject Hodrick was asked why he approached a vehicle, which "supposedly" contained an armed suspect, in the manner described. Hodrick stated that because the vehicles were so close he reasoned it was better to approach the car straight on, with his gun trained on the suspect, than to turn his back and attempt to seek cover on the far side of the radio car. He said he calculated that if the suspect came up with a gun he could have fired first.

Witness FIDELE said he ran to a position at the rear of the Camaro while HODRICK approached the driver's door. From his position at the rear of the Camaro he saw the suspect exit the vehicle and comply with HODRICK'S commands. FIDELE said as soon as it appeared that HODRICK was in control of the situation he started walking in the direction of a catering truck to ascertain if there was anyone injured. Just before reaching the rear of the truck, the male whom he had seen being chased by the Camaro [redacted] stepped out from behind the truck and advised him that he had a gun and that he had been shooting into the air.

It was determined that Witness [redacted] who is the [redacted] of the La Llamarada Nite Club, had broken up a fight in the parking lot of the club and taken a knife away from one of the participants.

Several friends of this person, whom he believed to be armed also, had approached in a threatening manner. Hoping to frighten them away, he had fired two warning shots into the air. Instead of everyone fleeing as anticipated, one of the men started pursuing him around the parking lot of the club in a red Chevrolet Camaro. At some point during the confrontation [redacted] noticed the presence of the radio car on 108th Street (a block south) and fired two more volleys of shots into the air to attract the attention of the deputies. [redacted] description of the event was corroborated by Witness [redacted] who was working inside the catering truck during the incident. (Refer to EXHIBIT G).

Both deputies and Witnesses [redacted] and [redacted] stated that by the time HODRICK started firing there was no pedestrians left in the parking lot because everyone had either scattered or taken cover because of the previous gunfire and the Camaro careening in a circle around the catering truck. FIDELE said he did not see anyone until the [redacted] stepped out from behind the catering truck after HODRICK had handcuffed the suspect. He said that as he was talking with the [redacted] he observed people start to get back into line on the west side of the catering truck.

Suspect Mario GARCIA, the driver of the Camaro, said that when HODRICK and FIDELE arrived, [redacted] was the only person left in the parking lot. GARCIA, who was arrested for Assault With a Deadly Weapon , was sentenced to one year in the county jail and placed on three years probation.